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Zoning By-law Amendment – Woodspring Avenue, Marianneville Developments Staff Report to Council

Report Number: 2025-21

Department(s): Building and Planning Services

Author(s): Meghan White, Senior Planner - Development

Meeting Date: April 28, 2025

Recommendations

1. That the report entitled Zoning By-law Amendment – Woodspring Avenue, Marianneville Developments dated April 28, 2025 be received; and,
2. That the Zoning By-law Amendment application be approved; and,
3. That staff be directed to bring forward the by-law, including necessary holding provisions, to Council for approval; and,
4. That Nour Bedas of Groundswell Planning, be notified of this action; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Executive Summary

A Zoning By-law Amendment application has been received to amend Zoning By-law 2010-40 to permit 122 townhouses on the subject land.

Staff have reviewed the development proposal against the relevant Provincial, Regional, and local policy documents and have concluded that the proposal is in conformity with the policy framework. A statutory Public Meeting was held on June 24 2024, as required by the *Planning Act*.

Purpose

This report provides recommendations to Council on the application for Zoning By-law Amendment on the subject lands.

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The recommendations of this report, if adopted, would result in amendments to the Town's Zoning By-law 2010-40 to permit the proposed townhouse development and apply the necessary holding provisions.

Background

This application was deemed complete February 18, 2022. It has been circulated to internal departments and external agencies for their review and comments. There are no objections to the proposal, subject to application of the Holding Provisions. The Statutory Public Meeting was held on June 24, 2024.

Subject Land

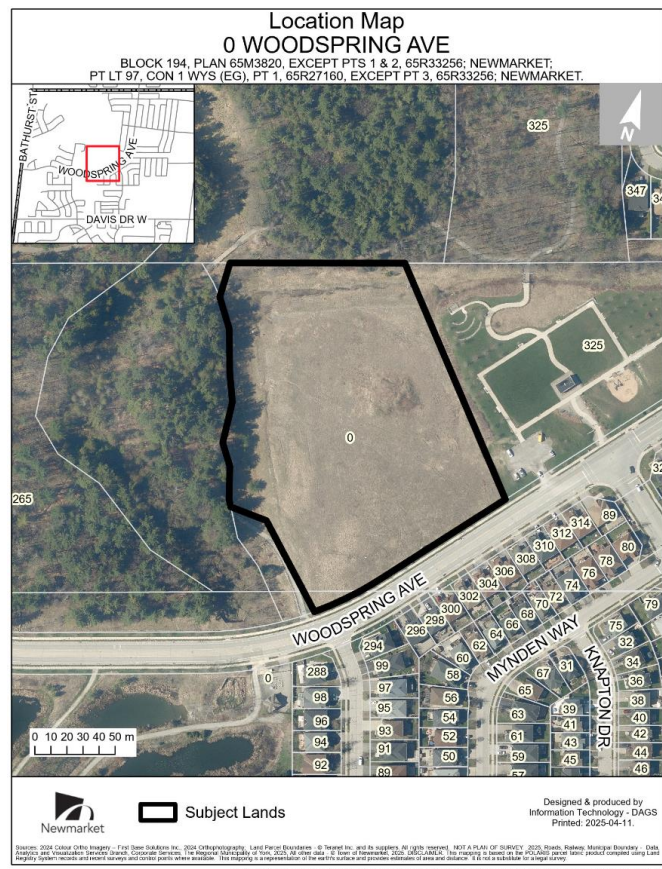
The subject lands are located on the north-west side of Woodspring Avenue, between William Booth Avenue and Memorial Gardens Way. The subject lands are surrounded on three sides by Environmental Park.

When this area of town was being developed, this space was held in reserve as a potential school site. The School Board determined that a school was not required in this location and the land was returned to the original developer, and then it was sold to the current owner.

A Proposal for 122 Townhouse Units

The applicant has applied to develop the subject lands with 122 condominium townhouse units, accessed by private roads. A mix of townhouse styles are proposed; 20 back-to-back townhouses, 68 rear-lane access townhouses, and 34 standard townhouses. The concept plan can be found in Attachment 2.

The proposed development consists of three- and four-storey townhouses, with heights ranging from 8.7 metres to 12.8 metres. The townhouses have been designed with a combination of single- and double-car driveways. A total of 225 parking spaces are proposed on-site, which includes 35 visitor parking spaces. The visitor parking spaces are distributed across the site. The applicant is not seeking a parking reduction and complies with the zoning by-law requirements.



Pedestrian connections are provided throughout the development and to Woodspring Avenue. A connection to the Dave Kerwin Trail in Environmental Park is proposed, and its suitability will be determined at the detail design stage.

Two open space blocks are proposed along the north-east and north-west property lines. They will form a buffer between the back yards of the dwellings and Environmental Park. These areas are too steep to be included as private backyard amenity spaces and will be held in private ownership as a common element of the condominium.

Amendments Required to Allow the Development

The proposal requires the following amendments:

- To rezone the property from Institutional to Residential,
- Establishment of site-specific zone standards for the proposal, and
- Addition of holding provisions.

Discussion

Planning Policy Context

The application is consistent with the Provincial Planning Statement (PPS)

The proposal is consistent with the PPS by providing a mix of housing types within an existing settlement area, allowing for efficient use of existing infrastructure, and promoting supportive densities to facilitate a compact urban form and the achievement of complete communities.

The application conforms to the York Region Official Plan, (as deemed part of the Town's Official Plan by Bill 185 on July 1, 2024)

The proposal supports and is consistent with York Region Official Plan policies as this development aligns with the intensification policies in built-up areas.

The application conforms to the Official Plan

This property is designated "Residential" in the Official Plan and therefore no amendment to the Official Plan is required.

The objectives of the Official Plan's Residential Area policies are to provide for a range of dwelling types while maintaining the stability of residential areas by establishing zone standards that acknowledge and respect the existing character of the surrounding neighbourhood. The Official Plan also recognizes the desirability of gradual, ongoing change by allowing for contextually sensitive developments through *Planning Act* applications.

Townhouses are permitted in the Residential Area designation, subject to compatibility with the existing neighbourhood character. The subject lands are a unique situation for a large parcel in Newmarket. The parcel is surrounded on three sides by a park and not

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existing residences. On two sides there will be open space blocks acting as a buffer between the new dwelling units' backyards and the park. On the third side (the east property line) the front doors of the townhouse dwellings (with a walkway) will be adjacent to the park. Front doors are an appropriate interface with a park space. The closest existing residences are located on the south side of Woodspring Avenue. The separation provided by Woodspring Avenue limits the impacts of the new dwellings on the existing residences.

Section 16.1.1.3 sets out the considerations for a Zoning By-law Amendment. All the requirements of this section have been considered and addressed.

The proposed amendments meet the intent of the Zoning By-law.

The subject land is currently zoned Minor Institutional (I-B). Residential uses, such as townhouses are not permitted in this zone. Therefore, an amendment to a residential (R4) zone is required.

Site specific zone standards are required to enable the design of the condominium townhouses. The site-specific zone standards will address development specific heights, encroachments and setbacks. No reductions to the parking requirements are proposed.

For information, a draft version of the proposed site specific zoning by-law amendment is attached to this report. If the application is approved, the final By-law will be brought forward to a subsequent Council meeting.

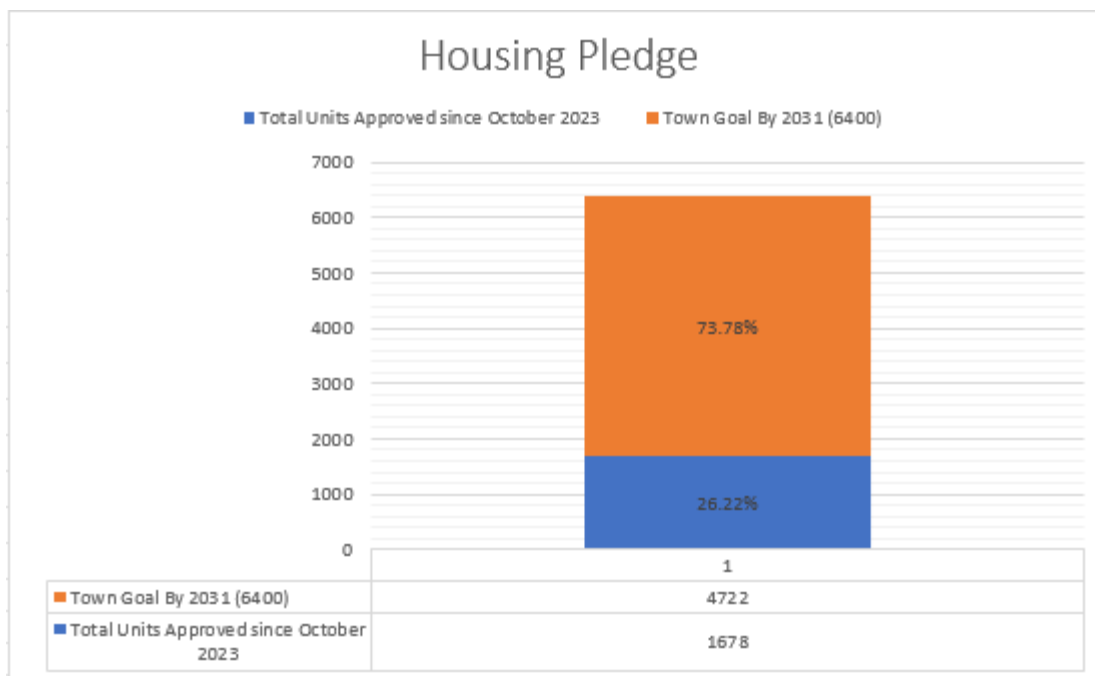
It is the opinion of staff that the proposed zoning by-law amendment is appropriate for the proposed development on the subject land.

Other Planning Considerations

The proposal contributes 122 units to the Housing Pledge

In October 2023, Council approved the Town's housing pledge of approving 6,400 housing units by 2031. Since the adoption of the plan in October 2023, 1,556 residential units have been approved (24.3% of the Pledge).

If approved, this application would bring the total approved residential units to 1,678, or 26.2% of the Town's Housing Pledge, an increase of 1.9% (see Housing Pledge chart below).



The Town's Housing Pledge also includes a target of 1,250 rental units and 400 non-profit/subsidized units. Past applications have contributed to this goal by providing affordable rental units as part of the development, and/or providing payments in lieu of non-profit/subsidized housing providers. Details around how this application will contribute to this goal are to be determined in subsequent phases of the planning process. As such, a holding provision is being recommended as part of the rezoning.

The application will need Servicing Allocation in the future

To date, servicing has not been allocated to this development. Servicing allocation will be considered in the annual servicing allocation report, scheduled for a future Committee of the Whole Meeting. A holding provision is recommended to ensure servicing is in place prior to the development proceeding.

The applicant will need to advise how the application contributes to the Town's affordable housing goals

Section 3.9.2 of the Official Plan states: a minimum of 25% of new housing development outside the Urban Centres Secondary Plan will be affordable to low- and moderate-income households. It is recommended that a holding provision be applied to the Zoning By-law until such time as staff is satisfied that the Official Plan's affordable housing policies are achieved.

Holding Provisions will be implemented

In accordance with Section 36 of the Planning Act, Council may impose Holding Provisions ('H') on a Zoning By-law Amendment to limit the use of land until the holding

provision conditions are satisfied. In this application, the proposed Zoning By-law Amendment include Holding Provisions for:

- Execution of a Site Plan Agreement,
- Servicing Allocation, and
- Addressing the Affordable Housing policy to the satisfaction of Town staff.

Further Applications Will Be Required

Should the Zoning By-law Amendment be approved by Council, future required applications include Site Plan Approval, Condominium Approval applications, and an application to remove the Holding Provision.

Consultation

No objection from external and internal consulting agencies/departments

The application and associated technical reports were circulated to all internal departments and external agencies. Comments received indicate there is no objection to the proposed Zoning By-law Amendment application, subject to application of the proposed Holding Provisions. Any noted technical comments will be addressed through a future Site Plan Application.

Comments from the public were taken into consideration by the applicant

A Statutory Public Meeting was held on June 24th, 2024. This meeting provided the public and interested persons an opportunity to comment on the application. Members of the public also provided comments through email before and after the Public Meeting. The following sections outline the nature of the comments and how they have been addressed.

Concerns about increased traffic

A Transportation Impact Study was submitted in support of the application. As a result of comments heard at the public meeting, the applicant revised the Transportation Impact Study to consider new traffic counts, as the original numbers had been questioned during the public meeting. Their validity was questioned since traffic was counted during the pandemic lockdowns and did not capture regular and usual use of the road. The update memo found that there was not a significant increase in traffic volumes (1.2%) and the original study findings remain valid.

The original study and revision memo have both been reviewed by the Town's Engineering Department, the conclusions were found to be satisfactory and there are no objections to the approval of the proposal.

Concerns about increased density, compatibility and change of character

As mentioned above, the subject lands are a unique situation, as it is surrounded on three sides by park. The new homes do not directly abut any existing residences; therefore, it is a suitable location to achieve a higher density housing mix. In addition, the applicant reduced the number of proposed units from 124 (original submission) to 122 (currently proposed). The proposed development is located along a corridor serviced by existing public transit, which can support a more intensive form of residential development on the subject lands.

Concerns about negative impacts on forested land and the park

Comments were provided that expressed concern about the impact of the development on park space, and specifically the forested area of the park. The subject lands are in private ownership and do not form part of Environmental Park. There are two open space blocks acting as a buffer between the forested area of Environmental Park and the construction of the proposed dwellings. The third interface with the park will be a walkway with front doors adjacent to the open space of the park. No negative impacts on the park, and specifically the forested area, are anticipated.

Conclusion

The proposed Zoning By-law Amendment application has been processed per the *Planning Act* including circulation to the Town's internal departments and external agencies. All zoning related concerns have been addressed.

The proposal supports the goals of the Official Plan and the meets the intent of the Zoning By-law. The proposal conforms to and does not conflict with the Provincial Planning Statement and the York Region Official Plan.

Staff recommend approval of the proposal, subject to the application of specific holding provisions. Further review and refinement of the application will take place through the Site Plan Approval process, within the parameters of the proposed zoning.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

None.

Budget Impact

The appropriate planning application fees have been received for this application. The Town will also receive revenue from development charges associated with this development.

Attachments

Attachment 1 – Location Map

Attachment 2 – Applicant's Concept Site Plan

Attachment 3 – Proposed Zoning By-law Amendment

Submitted By

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Approval for Submission

Adrian Cammaert, MCIP, RPP, Manager, Planning Services

Jason Unger, MCIP, RPP, Director, Planning & Building Services

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Report Contact

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